

REMARKS

Initially, Applicant would like to thank the Examiner for his courtesy in conducting a personal interview with Applicant's representatives, Nobuo Iida and Joshua M. Povsner, on June 10, 2008. In the interview, Applicant's representatives and the Examiner discussed differences between the document applied in the outstanding Office Action and the invention to which the claims of the present application are directed. These difference are again discussed below, and are the subject of amendments made herein.

In the noted Office Action, claims 50-85 were rejected under 35 U.S.C. §102(e) over FERRIS et al. (WO 99/04568).

Upon entry of the present amendment, claims 50-51, 54-60, 62-66, 69-75 and 84-85 will have been amended, and claims 52-53 and 76-83 have been cancelled without prejudice to or disclaimer of the subject matter recited therein. Claims 86-89 will have been added for consideration. The herein-contained amendments to and cancellations of claims should not be considered an indication of Applicant's acquiescence as to the propriety of any outstanding rejection. Rather, claims have been amended and cancelled merely in order to advance prosecution and obtain early allowance of claims in the present application.

Amended claim 50 is directed to a data management method by which characteristic features including the following are provided:

- a.) a plurality of **information units** are provided, and each information unit is a part of a **broadcast program** and carries information representing one of various items in the broadcast program;

b.) an information manager receives an **information recipient verification data** that identifies an information recipient and **identifying data** particular to and distinctly identifying an information unit selected by the information recipient

1.) the identifying data is stored in a database in association with the information recipient verification data when the information manager receives the identifying data and information recipient verification data,

2.) the identifying data is linked in the database to **reference data** associated with and defining features of the information unit selected by the information recipient

c.) upon sending the information recipient verification data from the second communications device to the information manager, the database enables access from the second communications device to the identifying data associated to the information recipient verification data, and in turn, to the reference data linked to the identifying data,

FERRIS does not disclose several of the above-noted features recited in claim 50. For example, FERRIS does not disclose providing a plurality of information units which are each a part of a broadcast program, as recited in amended claim 50. As discussed in the above-noted interview, program associated data (PAD) in FERRIS is provided via a radio service provider 414 of a cellular paging system from central control station 420. Additionally, the program associated data unique identification (PADUID) in FERRIS is received by the central control station 420 via a radio service provider 415 of the cellular paging system. The cellular paging system is not the system that provides the underlying broadcast program in FERRIS, and program associated data in FERRIS is not provided as part of the underlying broadcast program

in FERRIS. For these reasons alone, claim 50 is not properly rejected under 35 U.S.C. §102 over FERRIS. However, FERRIS also does not describe additional features of amended claim 50, as described below.

In the above-noted interview, the Examiner also suggested that the “reference data” recited in the pending claims be more clearly distinguished from results of user interaction, such as transaction histories, disclosed at page 15 in FERRIS. As recited in amended claim 50, reference data is associated with and defines features of an information unit selected by the information recipient. The reference data is linked in a database to identifying data that is particular to and distinctly identifies an information unit selected by the information recipient. As discussed in the interview, reference data according to the pending claims is not disclosed by results of user interaction, such as transaction histories, disclosed at page 15 in FERRIS. Rather, reference data according to claim 50 is linked to (i.e., not the same as) the identifying data of an information unit which is selected by the information recipient and received by the information manager in claim 50; however, the reference data is associated with and defines features of such an information unit in claim 50.

In FERRIS, a home computer 419 can show a transaction history held in a database 410. As described in FERRIS at page 15, users of the home computer 419 will be able to review the transaction histories held in the database 410, and have access to all the facilities offered by the handset 417, but in greater detail and with full graphical support. This transaction history is not detailed further in FERRIS, and is not disclosed to be associated with and defining of features of an information unit as in claim 50. Further, one of ordinary skill in the art would not interpret a transaction history as in FERRIS to be associated with and defining of features of an information unit as in claim 50. Rather, a transaction history might be understood to include transaction

records for purchases of items, but such transaction records are not disclosed and would not be expected to be associated with and defining of features of such an item. In any event, the disclosure at page 15 in FERRIS would be understood as teaching greater detail and full graphical support via the home computer 419 of whatever facilities are already offered by the handset 417, and thus would not be understood as expanding on, being associated with, and defining features of program associated data selected by a user of the handset 417 in FERRIS. Thus, FERRIS does not disclose reference data as in claim 50. That is, FERRIS does not disclose reference data associated with and defining of features of an information unit selected by the information recipient. Further, FERRIS does not disclose reference data being linked in a database to (i.e., and the same as) identifying data that is particular to and distinctly identifies an information unit selected by the information recipient.

Accordingly, claim 50 is allowable over FERRIS under 35 U.S.C. §102.

Independent claim 75 recites features similar to those noted above which are not disclosed in FERRIS. For example, amended claim 75 recites “a plurality of information units being provided to the information recipient as part of a broadcast program by a unidirectional communication from an information provider and carrying information representing one of various items in the program”. Additionally, amended claim 75 recites “the identifying data being linked in the database to reference data associated with the information unit selected by the information recipient” and that the “the database enables access from the second communications device to the identifying data associated to said information recipient verification data, and in turn, to the reference data linked to the identifying data”. Independent claims 84 and 85 each recite features similar to those noted above which are not disclosed in FERRIS.

Accordingly, each of the independent claims now pending is allowable over FERRIS under 35 U.S.C. §102. Each of the pending dependent claims is also allowable over FERRIS at least for depending, directly or indirectly, from an allowable independent claim, as well as for additional reasons related to their own recitations.

For example, claims 52 and 53 distinguish the first communications device from a remote controller, whereas the handset 417 in FERRIS is a remote controller. Additionally, new dependent claims 86-89 have been added to depend directly from independent claims 50, 75, 84 and 85. In this regard, each of dependent claims recites features further specifying that reference data is particular to the information unit selected by the information recipient and additional to the identifying data received by the information manager, and is stored in the database in association with the identifying data independent of the selection of the information unit by the information recipient. Thus, each of dependent claims 86-89 specify that reference data is data beyond any identifying data received by the information manager, whereas a transaction history is not disclosed in FERRIS to include any data particular to the information unit but additional to the program associated data unique ID. Accordingly, at least these various dependent claims are separately allowable over FERRIS under 35 U.S.C. §102 for the reasons set forth above.

As set forth above, each of the claims now pending is allowable over FERRIS. Accordingly, reconsideration and withdrawal of each of the outstanding rejections is respectfully requested.

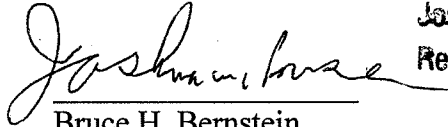
The herein-contained amendments should not be considered an indication of Applicant's acquiescence as to the propriety of any outstanding rejection. Rather, the claims are amended as shown herein merely to advance prosecution and obtain early allowance of claims in the present

P19702.A25

application. Accordingly, reconsideration and withdrawal of each of the outstanding rejections is respectfully requested.

If there are any questions about this application, any representative of the U.S. Patent and Trademark Office is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
Keiichi KOSHIBA

  
Bruce H. Bernstein  
Reg. No. 29,027

Joshua M. Povsner  
Reg. #42,086

July 14, 2008  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191